

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|-------------------------------------|---|-----------------------------|
| TURKESSA JONES-SIMMONS and |) | |
| L.C. and S.C., by and through their |) | |
| legal guardian and Court Appointed |) | |
| Next Friend KATHERLINE |) | |
| CUMMINGS, |) | Cause No. 4:18-cv-02086-RLW |
| |) | |
| Plaintiff |) | |
| |) | |
| v. |) | |
| |) | |
| AMERICAN FAMILY MUTUAL |) | |
| INSURANCE COMPANY, |) | |
| |) | |
| Defendant. |) | |

APPLICATION FOR APPROVAL OF WRONGFUL DEATH SETTLEMENT

COMES NOW Defendant American Family Mutual Insurance Company a/k/a American Family Mutual Insurance Company, S. I., and for its Application for Approval of Plaintiff's Wrongful Death Settlement, states as follows:

1. That Turkessa Simmons-Jones was a passenger in a vehicle driven by uninsured Alonzo Williams. Turkessa Simmons-Jones and Alonzo Williams were involved in a motor vehicle accident which occurred on January 27, 2018 at or near Route U and Eunice Street, St. Louis County, State of Missouri.
2. Turkessa Simmons-Jones made a claim against Defendant American Family Mutual Insurance Company, S. I. for the wrongful death of her unborn baby, "Fetus Jessie May Chatman", under a policy issued to Katherline Cummings which included an Uninsured Motorist Coverage endorsement.
3. That as a result of said accident, Fetus Jessie May Chatman, received fatal injuries.

4. That Turkessa Jones-Simmons is the surviving Mother of the Decedent; and is the only person entitled to make a claim for the death of Fetus Jessie May Chatman, pursuant to Section 537.080(1), R.S.Mo.
5. That the Decedent's Mother and Defendant have come to a settlement agreement in the sum of \$100,000.00 (ONE HUNDRED THOUSAND DOLLARS AND NO/100), which represents her relative Katherline Cummings' policy limits under her uninsured motorist liability.
6. That Court approval of this wrongful death settlement is necessary before Plaintiff can execute a binding release.

WHEREFORE, Defendant prays this Court conduct a hearing for purposes of approving the Wrongful Death Settlement proposed between the parties, for an order authorizing Plaintiff Turkessa Jones-Simmons to execute a Release of the claim on behalf of all heir of Fetus Jessie May Chatman, for distribution of the proceeds to Plaintiff and such further relief this Court deems just and proper.

/s/ Ann Marie Piana

Ann Marie Piana, #35073
800 Northwest Plaza Drive
St. Ann, MO 63074
(314) 542-0015
Fax (866) 292-8815
apiana@amfam.com
Attorney for American Family Mutual
Insurance Company, S. I.